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20 OWEN DIAZ

21 OWEN DIAZ,
22 Plaintiff,
23 v.
24 TESLA, INC. dba TESLA MOTORS, INC.;
25 Defendant.

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23 Case No. 3:17-cv-06748-WHO

24 **JOINT STIPULATION REGARDING
25 SCHEDULE AND PROCEDURES FOR
POST-TRIAL MOTIONS; [PROPOSED]
ORDER**

26 Trial Date: March 27, 2023
27 Judgment Entered: April 12, 2023

1 **TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF**
 2 **RECORD:**

3 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Owen Diaz (“Plaintiff”) and
 4 Defendant Tesla, Inc. (“Defendant”), by and through their attorneys of record, hereby submit this
 5 Joint Stipulation Regarding the schedule and procedures for their anticipated post-trial motions.

6 **WHEREAS**, on April 11, 2023, the Court entered Judgment in this matter following a
 7 verdict in a jury trial (Dkt. 417) that triggered the deadlines for the parties to file various post-
 8 trial motions;

9 **WHEREAS**, each party intends to file one or more motions under Federal Rules of Civil
 10 Procedure 50(b) and/or 59;

11 **WHEREAS**, the parties have met and conferred and agree that judicial economy would
 12 be served by agreeing to certain deadlines and procedures for the management of the parties’
 13 anticipated post-trial motions, including regarding the page length limitations for such motions
 14 and related briefing, and the schedule for the briefing and hearing on the motions.

15 **NOW THEREFORE**, it is stipulated by and between the parties that:

16 (1) Any motions that either party files under Federal Rules of Civil Procedure 50(b) or 59
 17 shall be filed as a single, consolidated post-trial motion;

18 (2) Any such consolidated motions filed by the parties under Federal Rules of Civil
 19 Procedure 50(b) or 59 shall be managed according to the following schedule and page
 20 limitations:

21 a. Each party shall file a single consolidated motions limited to 35 pages by May 9,
 22 2023;

23 b. Each party shall file a single consolidated opposition limited to 35 pages by June
 24 7, 2023;

25 c. Each party shall file a single consolidated reply limited to 20 pages by June 30,
 26 2023;

27 d. Hearing on the parties’ motions shall be scheduled for July 19, 2023 at 2:00 PM, or
 28 as soon thereafter as is convenient for the Court.

1 **IT IS SO STIPULATED.**

2 CALIFORNIA CIVIL RIGHTS LAW GROUP
3 ALEXANDER MORRISON + FEHR LLP

4 DATED: May 4, 2023

By: /s Cimone A. Nunley

5 Lawrence A. Organ, Esq.
6 Cimone A. Nunley, Esq.
7 J. Bernard Alexander, Esq.
8 Marqui Hood, Esq.
9 Michael Rubin, Esq.
10 Jonathan Rosenthal, Esq.
11 Dustin L. Collier, Esq.
12 V. Joshua Socks, Esq.
13 Elizabeth R. Malay, Esq.
14 Drew F. Teti, Esq.
15 Attorneys for Plaintiff
16 OWEN DIAZ

17 DATED: May 4, 2023

18 QUINN EMANUEL URQUHART & SULLIVAN, LLP

19 By /s Daniel C. Posner

20 Alex Spiro

21 Daniel C. Posner
22 Mari Henderson
23 Asher Griffin
24 Attorneys for Defendant
25 TESLA, INC.

[PROPOSED] ORDER

Based upon the Parties' Stipulation, and good cause having been shown, **IT IS HEREBY
ORDERED THAT:**

(1) Any motion filed by each party under Federal Rules of Civil Procedure 50(b) and/or 59 shall be filed as a single, consolidated post-trial motion;

(2) Any such consolidated motions filed by the parties under Federal Rules of Civil Procedure 50(b) and/or 59 shall be managed according to the following schedule and procedures:

- a. Motions limited to 35 pages shall be filed by May 9, 2023;
- b. Opposition briefs limited to 35 pages shall be filed by June 7, 2023;
- c. Reply briefs limited to 20 pages shall be filed by June 30, 2023.
- d. Hearing on the parties' motions shall be scheduled for July 19, 2023 at 2:00 PM, or as soon thereafter as is convenient for the Court.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2023

Hon. William H. Orrick

DECLARATION OF CONSENT

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury that I obtained concurrence in the filing of this document from above-listed counsel for Defendant Tesla, Inc., which shall serve in lieu of their signature on the document.

Dated: May 4, 2023

By: /s Cimone A. Nunley

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